

## **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL**

**July 22, 2002**

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** was held on Monday, July 22, 2002, at 8:10p.m., in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Council Member District No. 1; Ms. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Steve M. Vaughn, Council Member District No. 5; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. D. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk to County Council. Mrs. Judy C. Mims, Council Member District No. 6 was excused from the meeting. Mr. Henry L. Richardson, Jr., Council Member District No. 8 was absent from the meeting.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina and the Berkeley County Library, and mailed to the newspapers, radio stations, television stations and concerned citizens.

Chairman Rozier called the meeting to order, Councilmember Spooner gave the invocation and Councilmember Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

### **APPROVAL OF MINUTES:**

Chairman Rozier asked for the approval of minutes from Special Council Meeting held on June 17, 2002; Public Hearings Bills Numbered: 02-18, 02-19, 02-20, 02-21, 02-23 held on June 24, 2002; Public Hearings (STD Budgets) Bills Numbered: 02-18, 02-19, 02-20, 02-21, 02-23 held on June 24, 2002; Public Hearing Berkeley County Budget Bill Numbered: 02-17 held on June 24, 2002; Public Hearing Berkeley County Water & Sanitation Authority Budget Bill Numbered: 02-22 held on June 24, 2002 and Regular Council Meeting held on June 24, 2002.

It was moved by Councilmember Spooner and seconded by Councilmember Vaughn to approve the minutes as presented. The motion was passed by unanimous voice vote of Council.

There was no **PUBLIC DISCUSSION**.

There was no **EXECUTIVE SESSION**.

### **THIRD READING:**

1. **"BILL NO. 02-24, AN ORDINANCE TO AMEND BERKELEY COUNTY ANIMAL CONTROL ORDINANCE NUMBER 93-11-26 TO INCLUDE PROVISIONS**

FURTHER DEFINING TERMS THEREIN AND TO FURTHER CONFORM TO THE PROVISIONS OF THE CODE OF LAWS OF SOUTH CAROLINA.”

Bill No. 02-24 was held.

2. **"BILL NO. 02-25, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #235-00-00-013 AND #235-00-00-039."** (Stanley Baker)

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve **Bill No. 02-25** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-07-29 is attached to these minutes)

3. **"BILL NO. 02-26, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #263-00-03-044."** (Alfred Yates)

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to approve **Bill No. 02-26** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-07-30 is attached to these minutes.)

4. **"BILL NO. 02-27, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #181-00-02-102."** (CP, Limited Partnership)

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve **Bill No. 02-27** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-07-31 is attached to these minutes.)

### **SECOND READING:**

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

It was moved by Councilmember Vaughn and seconded Councilmember Spooner to approve Bills for Second Reading to be read collectively. The motion was passed by unanimous voice vote of Council.

1. **"BILL NO. 02-28, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH**

CAROLINA, IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #161-00-02-172.” (Moses Brown)

2. **“BILL NO. 02-32, AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN BERKELEY COUNTY, SOUTH CAROLINA, AND DAK RESINS, LLC (FORMERLY IDENTIFIED AS PROJECT CYPRESS) TO PROVIDE FOR A FEE IN LIEU OF TAXES INCENTIVE, AND OTHER MATTERS RELATING THERETO.”**

3. **“BILL NO. 02-33, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO RECLASSIFICATION OF APPROVED USES OF TMS #220-00-02-056, TMS #220-00-02-057, TMS #220-00-02-038, TMS #220-00-02-091, TMS #220-00-02-059, TMS #220-00-02-079, TMS #220-00-02-108, TMS #220-00-02-076, TMS #220-00-02-107, TMS #220-00-02-073, TMS #220-00-02-071, TMS #220-00-02-106, TMS #220-00-02-066, TMS #220-00-02-063, TMS #220-00-02-105, TMS #220-00-02-049, TMS #220-00-02-001, TMS #220-00-02-115, TMS #220-00-02-041, TMS #220-00-02-088, TMS #220-00-02-040, TMS #220-00-02-036, TMS #220-00-02-035, TMS #221-00-00-008, TMS #221-00-00-007, TMS #221-00-00-006.”** (Low County Pines, LLC)

**FIRST READING:**

1. **“BILL NO. 02-34, AN ORDINANCE TO AMEND ORDINANCE NO. 99-7-41 AND TO ADOPT THE MOST RECENT VERSION OF VARIOUS INTERNATIONAL CODES RELATING TO BUILDING, RESIDENTIAL, GAS, PLUMBING, MECHANICAL, AND FIRE STANDARDS.”**

2. **“BILL NO. 02-35, AN ORDINANCE CREATING A NEW TALL PINES SPECIAL TAX DISTRICT AND REPEALING ORDINANCE NO. 91-8-24 THAT ESTABLISHED THE ORIGINAL TALL PINES SPECIAL TAX DISTRICT.”**

3. **“BILL NO. 02-36, AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN BERKELEY COUNTY, SOUTH CAROLINA, AND CROPTECH CORPORATION; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES.”**

**RESOLUTIONS:**

1. **“A RESOLUTION AUTHORIZING THE CONTINUING OF THE DEVON FOREST SPECIAL TAX DISTRICT BUDGET UNTIL SUCH TIME AS THE 2002-2003 BUDGET CAN BE FINALIZED.”**

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to adopt the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-29 is attached to these minutes)

**2. “A RESOLUTION APPROVING THE BYLAWS OF THE DEVON FOREST SPECIAL TAX DISTRICT.”**

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to adopt the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-30 is attached to these minutes.)

**3. “A RESOLUTION AUTHORIZING BERKELEY COUNTY WATER & SANITATION AUTHORITY TO COMPLETE, EXECUTE AND SUBMIT AN APPLICATION TO THE STATE AUTHORITY FOR A LOAN FROM THE FUND IN THE AMOUNT OF APPROXIMATELY \$1,400,000 PLUS CAPITALIZED INTEREST IF ANY, TO FINANCE THE REPLACEMENT KEY EQUIPMENT UPGRADING THE ODOR CONTROL SYSTEM AND ADDING A SEPTAGE RECEIVING STATION TO THE HEADWORKS BUILDING AT THE LOWER BERKELEY WASTEWATER TREATMENT PLANT.”**

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to adopt the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-31 is attached to these minutes.)

**4. “A RESOLUTION DESIGNATING SURPLUS PROPERTY OF BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND AUTHORIZING THE SALE OR DISPOSAL OF THE SURPLUS PROPERTY.”**

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to adopt the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-32 is attached to these minutes.)

**5. “A RESOLUTION DESIGNATING SURPLUS PROPERTY OF BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND AUTHORIZING THE SALE OR DISPOSAL OF THE SURPLUS PROPERTY VEHICLES.”**

It was moved by Councilmember Crosby and seconded by Councilmember Vaughn to adopt the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-33 is attached to these minutes.)

**6. “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN BERKELEY COUNTY, SOUTH CAROLINA, AND CROPTech CORPORATION WHEREBY, UNDER CERTAIN CONDITIONS, BERKELEY COUNTY WILL EXECUTE A FEE-IN-LIEU**

**OF TAX AGREEMENT (S) FOR A PROJECT (S) INVOLVING NOT LESS THAN THIRTY MILLION DOLLARS (\$30,000,000) INVESTMENT AND APPROVING THE ISSUANCE OF A SPECIAL SOURCE REVENUE BOND TO DEFRAY THE COST OF INFRASTRUCTURE.”**

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to adopt the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R02-34 is attached to these minutes.)

**7. “A RESOLUTION APPROVING THE ACCEPTANCE OF VARIOUS GRANTS FROM THE STATE OF SOUTH CAROLINA, DEPARTMENT OF COMMERCE, TO PROVIDE FOR ENGINEERING AND RELATED SERVICES FOR PROJECT CROPTech.”**

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to adopt the Resolution as presented. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-35 is attached to these minutes.)

**REPORTS FROM STANDING COMMITTEES:**

**COMMITTEE ON FINANCE**, Councilmember Steve M. Vaughn, Chairman.

Councilmember Vaughn reported the Committee on Finance met prior to the Regular Council meeting. Many of the matters before the Committee had been taken care of earlier on the agenda.

Councilmember Vaughn moved to approve the Committee’s recommendation to upgrade the **Pitney Bowes Postage Machine** for the remaining months of the Contract. No additional funds will be required. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of Council.

**COMMITTEE ON LAND USE**, Councilmember Charles E. Davis, Chairman.

Councilmember Davis reported the Committee met on July 8<sup>th</sup>. Several of the matters before the Committee have been taken care of earlier on the agenda.

The Request by Martha B. Flynn, 876 Royal Road, Ladson, TMS #233-10-00-003 (.75 acre, 1.5 acres total) from R-2, manufactured residential district, to R-3, Mobile Home Park District. Council District No. 4 has been withdrawn.

**COMMITTEE ON PUBLIC WORKS AND PURCHASING**, Councilmember William E. Crosby, Chairman.

Councilmember Crosby reported the Committee met on July 8<sup>th</sup> and prior to the Regular Council meeting. Several of the matters before the Committee had been taken care of earlier on the agenda.

Councilmember Crosby moved to approve the Committee's recommendation to award the contract for Landfill Road resurfacing to **Austin Construction** in the amount of \$133,644.00. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of Council.

Councilmember Crosby moved to approve the Committee's recommendation to award the contract for the Myers Road sewer extension project to **Tidelands Utilities, Inc.** in the amount of \$241,598.00. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of Council.

Councilmember Crosby moved to approve the Committee's recommendation to allow certain Bradford trees to remain on **Catfish Landing Circle** in the Dubois Subdivision. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of Council.

Councilmember Crosby moved to approve the Committee's recommendation to award the contract for Municipal Lease Purchase Finance to **SunTrust Leasing Corporation.** (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of Council.

Councilmember Crosby moved to approve the Committee's recommendation for lease of building for the Berkeley County St. Stephen Branch Library to **Santee Properties, LLC** in the amount of \$950.00 per month. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of Council.

**COMMITTEE ON JUSTICE AND PUBLIC SAFETY**, Councilmember Milton Farley, Chairman.

No Report

**COMMITTEE ON WATER AND SANITATION**, Councilmember Henry L. Richardson, Jr., Chairman.

Councilmember Pinckney reported, in Councilmember Richardson's absence, the Committee met on July 1<sup>st</sup>. Several matters before the Committee were taken care of earlier on the agenda.

Councilmember Pinckney moved to approve the Committee's recommendation for approval of the engineering agreement with **Camp Dresser McKee, Inc.** for the C&D Expansion (Berkeley County Landfill) in the amount of \$54,500. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of Council.

Councilmember Pinckney moved to approve the Committee's recommendation to approve a Tower Lease Space agreement with **Motorola** for a five-year period. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of Council.

**COMMITTEE ON PLANNING AND DEVELOPMENT**, Councilmember Judith K. Spooner, Chairman.

Councilmember Spooner reported that the Committee met on July 8<sup>th</sup>. Several matters before the Committee were taken care of earlier on the agenda.

Councilmember Spooner stated the Committee is waiting for additional information on Bill No. 02-09, An Ordinance amending Berkeley County's Zoning and Development Standards Ordinance.

**COMMITTEE COMMUNITY SERVICES**, Councilmember Judy C. Mims, Chairman.

Councilmember Crosby reported, in Councilmember Mims' absence, the Committee met on July 1<sup>st</sup>.

Councilmember Crosby moved to approve the Committee's recommendation for approval of the **Viburnum Foundation Grant** for \$3000 and the Library Services and Technology Act Grant in the amount of \$6000 for the Berkeley County Library System. (NO SECOND REQUIRED) The motion was passed by unanimous voice vote of Council.

**COMMITTEE ON HUMAN SERVICES**, Councilmember Caldwell Pinckney, Jr., Chairman.

No Report.

#### **NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

Councilmember Crosby nominated Mr. F. Eugene Williams and Ms. Ora Blanding for reappointment to the Tax Assessment Review Board.

Councilmember Spooner nominated Mr. John Clark to the Charleston Regional Development Alliance Board.

The nominations passed by unanimous voice vote of Council.

There was no **CORRESPONDENCE**.

#### **UNFINISHED BUSINESS**

Cross Health Clinic was held.

Chairman Rozier reported to council the findings of the State Ethics Commission in response to Councilmember Mims complaint regarding his affiliation with the Lions Club and the Lions Beach business transaction with Berkeley County. It was ruled he was indeed in violation of the Ethics Reform Act, S.C. Code Ann., Section 8-13-700(B), 1976, as amended and was ordered not to vote on matters in which a business or organization with which he is associated has an economic interest, and was ordered to pay an administrative fee of \$63.48.

## **NEW BUSINESS**

## **ANNOUNCEMENTS**

The August 2002, Regular Meeting of Berkeley County Council will be held on Monday, August 26, 2002, in the Assembly Room, 223 N. Live Oak Drive, Moncks Corner, S.C., at 7:00 p.m.

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to adjourn the Regular Meeting of Berkeley County Council. The motion was passed by unanimous voice vote of Council.

The Meeting was adjourned at 8:35 p.m.

(During periods of discussion and/or presentations minutes are typically condensed and paraphrased.)

## **PUBLIC DISCUSSION:**

Mr. Bob Johnson, 227 Countryside Way, Summerville (Arcadie Woods) stated the only problem the community has with Project Bluebell was the railroad track installation (which will run directly behind Mr. Johnson's home). He asked if they were looking at an alternative location for the spur?

Mr. Rozier explained that there are changes being made to plans for the four railroad tracks and that they will not be located in the originally planned site. They will be in Eastport Park or on the property itself. Mr. Rozier indicated there was not mention of relocating the Spur. There would not be any additional storage in that area and there would be two trains per day traveling at a maximum speed of 20 mph between 12 p.m. and 7 p.m.

Mr. George Ryan, 109 Cherrywood Drive, Summerville (Arcadia Woods) petitioned Council to ask the State if it could put a "Sound Deadening Wall" between the railroad Spur and the subdivision? (The Spur will be located along side Mr. Ryan's property)

Mr. Rozier stated he would ask them to do that. He also learned there is a way of stopping the vibration from the railway with a trench of sand.



Public Discussion ended at 9:00 p.m.

S/Barbara B. Austin  
Clerk of Council

August 26, 2002  
Date Approved

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on Monday July 22, 2002, is scheduled to begin at 7:00 P.M., in the ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**

**APPROVAL OF MINUTES:**

Special Meeting of County Council	June 17, 2002
Public Hearings Bills Numbered: 02-18, 02-19, 02-20, 02-21, 02-23	June 24, 2002
Public Hearings (STD Budgets) Bills Numbered: 02-18, 02-19, 02-20, 02-21, 02-23	June 24, 2002
Public Hearing Berkeley County Budget Bill Numbered: 02-17	June 24, 2002
Public Hearing Berkeley County Water & Sanitation Authority Budget:	
Bill Numbered: 02-22	June 24, 2002
Regular Council Meeting	June 24, 2002

**PUBLIC DISCUSSION** - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

**THIRD READING:**

1. **Bill No. 02-24**, An Ordinance to amend Berkeley County Animal Control Ordinance Number 93-11-26 to include provisions further defining terms therein and to further conform to the provisions of the Code of Laws of South Carolina.  
[Recommended by Committee on Human Services]

2. **Bill No. 02-25**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Stanley Baker for Montague Lands, LLC, and Mont-Med, Inc., Montague Plantation Road, Goose Creek, TMS #235-00-00-013 (a 8.69 acre portion, 45.32 acres total) and #235-00-00-039 (a 7.51 acre portion, 51 acres total)

from LI, Light Industrial District, and HI, Heavy Industrial District, to R-1 Single Family Residential District. Council District No. 3.

[Recommended by Committee on Land Use]

3. **Bill No. 02-26**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Alfred Yates, 2653 Highway 41, Wando, TMS #263-00-03-044 (1 acre), from R-2, Manufactured Residential District, to GC, General Commercial District. Council District No. 2.

[Recommended by Committee on Land Use]

4. **Bill No. 02-27**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: CP, a Limited Partnership, Highway 52, Moncks Corner, TMS #181-00-02-102 (a 23.7 acres portion, of 138.15 acres total), from GC, General Commercial District, to R-3, Mobile Home Park District. Council District No. 8

[Recommended by Committee on Land Use]

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

## **SECOND READING:**

1. **Bill No. 02-28**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re Moses Brown, Highway 17-A, Moncks Corner, TMS #161-00-02-172 (2 acres), from PDMU, Planned Development-Mixed Use District, to GC, General Commercial District. Council District No. 8.

[Recommended by Committee on Land Use]

2. **Bill No. 02-32**, An Ordinance authorizing the execution and delivery of a fee agreement by and between Berkeley County, South Carolina, and DAK Resins, LLC (Formerly identified as Project Cypress) to provide for a fee in lieu of taxes incentive, and other matters relating thereto.

[Recommended by Committee on Finance]

3. **Bill No. 02-33**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Low Country Pines, LLC, off Old Dairy Road, Summerville, TMS #220-00-02-056 (11.5 acres), TMS #220-00-02-057 (47.8 acres), TMS #220-00-02-038 (19.6 acres), TMS #220-00-02-091 (6 acres), TMS #220-00-02-059 (18.97 acres), TMS #220-00-02-079 (2.04 acres), TMS #220-00-02-108 (1.02 acres), TMS #220-00-02-076 (1.02 acres), TMS #220-00-02-107 (1.02 acres), TMS #220-00-02-073 (1.98 acres), TMS #220-00-02-071 (1.92 acres), TMS #220-00-02-106 (1 acre), TMS #220-00-02-066 (1 acre), TMS #220-00-02-063 (1 acre), TMS #220-00-02-105 (1 acre), TMS #220-00-02-049 (1.92 acres), TMS #220-00-02-001 (1.57 acre portion of 5.2 acres total), TMS #220-00-02-115 (1 acre), TMS #220-00-02-041 (4.27 acres), TMS #220-00-02-088 (2 acres), TMS #220-00-02-040 (4.86 acres), TMS #220-00-02-036 (2.63 acres), TMS #220-00-02-035 (7.46 acres), and off

Beagle Road, TMS #221-00-00-008 (10.2 acres), TMS #221-00-00-007 (2.93 acres), TMS #221-00-00-006 (7.25 acres), from F-1, Agricultural District, to HI, Heavy Industrial District. Council District No. 7.

**FIRST READING:**

1. **Bill No. 02-34**, An Ordinance to amend Ordinance No. 99-7-41 and to adopt the most recent version of various International Codes relating to Building, Residential, Gas, Plumbing, Mechanical, and Fire Standards.

[Recommended by Committee on Planning and Development]

2. **Bill No. 02-35**, an Ordinance creating a new Tall Pines Special Tax District and repealing Ordinance No. 91-8-24 that established the original Tall Pines Special Tax District.

[Recommended by Committee on Finance]

**RESOLUTIONS:**

1. A RESOLUTION authorizing the continuing of the Devon Forest Special Tax District Budget until such time as the 2002-2003 Budget can be finalized.

[Recommended by Committee on Finance]

2. A RESOLUTION approving the Bylaws of the Devon Forest Special Tax District.

[Recommended by Committee on Finance]

3. A RESOLUTION authorizing Berkeley County Water & Sanitation Authority to complete, execute and submit an application to the State Authority for a loan from the fund in the amount of approximately \$1,400,000 plus capitalized interest if any, to finance the replacement key equipment upgrading the odor control system and adding a septage receiving station to the headworks building at the lower Berkeley Wastewater Treatment Plant.

[Recommended by Committee on Water & Sanitation]

4. A RESOLUTION designating surplus property of Berkeley County Water and Sanitation authority and authorizing the sale or disposal of the surplus property.

[Recommended by Committee on Public Works & Purchasing]

5. A RESOLUTION designating surplus property of Berkeley County Water and Sanitation authority and authorizing the sale or disposal of the surplus property.(Vehicles)

[Recommended by Committee on Public Works & Purchasing]

**REPORTS FROM STANDING COMMITTEES:**

1. **COMMITTEE ON FINANCE.**

COUNCILMEMBER STEVE M. VAUGHN, CHAIRMAN.

2. **COMMITTEE ON LAND USE.**  
COUNCILMEMBER CHARLES E. DAVIS, CHAIRMAN.  
Recommendations to deny:  
Request by Martha B. Flynn, 876 Royle Road, Ladson, TMS #233-10-00-003 (.75 acre, 1.5 acres total) from R-2, Manufactured Residential District, to R-3, Mobile Home Park District. Council District No. 4.
3. **COMMITTEE ON PUBLIC WORKS AND PURCHASING.**  
COUNCILMEMBER WILLIAM E. CROSBY, CHAIRMAN.  
Recommendations:
  - a. Landfill Road Resurfacing
  - b. Myers Road Sewer Extension Project
  - c. Dubois Subdivision agreement.
  - d. Lease of Building – St. Stephen Library
  - e. Municipal Lease Purchase Financing
4. **COMMITTEE ON JUSTICE AND PUBLIC SAFETY.**  
COUNCILMEMBER MILTON FARLEY, CHAIRMAN.
5. **COMMITTEE ON WATER AND SANITATION.**  
COUNCILMEMBER HENRY L. RICHARDSON, JR., CHAIRMAN.  
Recommendations:  
Engineering Agreement: C&D Expansion.  
Tower Lease Agreement: Motorola.
6. **COMMITTEE ON PLANNING AND DEVELOPMENT.**  
COUNCILMEMBER JUDITH K. SPOONER, CHAIRMAN.
7. **COMMITTEE ON COMMUNITY SERVICES.**  
COUNCILMEMBER JUDY C. MIMS, CHAIRMAN.  
Recommendations:  
Berkeley County Library: approval of two (2) grants.
8. **COMMITTEE ON HUMAN SERVICES.**  
COUNCILMEMBER CALDWELL PINCKNEY, JR., CHAIRMAN.

**NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

BERKELEY COUNTY LIBRARY BOARD  
BERKELEY-CHARLESTON-DORCHESTER RTMA  
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS  
DEVON FOREST SPECIAL TAX DISTRICT  
(Mr. Vaughn – Jennifer Christmas)

GOOSE CREEK RECREATION COMMISSION  
HOUSING BOARD OF ADJUSTMENTS AND APPEALS  
SPIERS LANDING COMMISSION  
TAX ASSESSMENT REVIEW BOARD  
WATER AND SANITATION APPEALS BOARD

**CORRESPONDENCE**

**UNFINISHED BUSINESS**

Cross Health Clinic

**NEW BUSINESS**

**ANNOUNCEMENTS**

The AUGUST 2002, Regular Meeting of Berkeley County Council will be held on  
MONDAY AUGUST 26, 2002, in THE ASSEMBLY ROOM, 223 NORTH LIVE  
OAK DRIVE, MONCKS CORNER, S. C., at 7:00 P.M.

**ADJOURNMENT**

**EXECUTION OF DOCUMENTS BY COUNCIL**

**PUBLIC DISCUSSION**

July 17, 2002  
S/Barbara B. Austin  
Clerk to County Council

**ADDENDUM**

The REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL to be held on Monday July 22, 2002, is scheduled to begin at 7:00 P.M., in the ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.

**ADD:**

**FIRST READING:**

3. **Bill No. 02-36**, an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Berkeley County, South Carolina, and CropTech Corporation; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes.

[Recommended by Committee on Finance]

**RESOLUTIONS:**

6. A RESOLUTION authorizing the execution and delivery of an Inducement Agreement by and between Berkeley County, South Carolina, and CropTech Corporation whereby, under certain conditions, Berkeley County will execute a fee-in-lieu of tax agreement(s) for a project(s) involving not less than thirty million dollars (\$30,000,000) investment and approving the issuance of a special source revenue bond to defray the cost of infrastructure.

[Recommended by Committee on Finance]

July 19, 2001  
S/Barbara B. Austin  
Clerk of County Council